Government is involved. Further, as Hon'ble Members know, other Parliamentary opportunities are available to members to debate such matters. In the circumstances the adjournment motion is not in order.

Resignation of Sri K. V. Shankara Gowda.

Mr. SPEAKER.—Under Rule 177(1) of the Rules of Procedure and Conduct of Business in the Mysore Legislative Assembly, I inform this Assembly that I have received an intimation in writing from Sri K. V. Sankara Gowda, a member of this House, resigning his seat in the Assembly. Under sub-rule (2) of the said Rules, the Secretary shall cause this information to be published in the Gazette and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused.

(Sri S. Gopala Gowda rose).

Mr. SPEAKER.—You have given notice of a motion just now. You can move it to-morrow.

BUSINESS OF THE HOUSE

(Money Bills.)

Sri K. HANUMANTHAIYA (Leader of the House).—Sir, so far as these Money Bills are concered, I think, the Deputy Speaker gave some indication to the time that has to be taken.

Sri J. MOHAMED IMAM (Jagalur).—Sir, yesterday in your absence, some important question was raised as to whether rule 131 of the Rules of Procedure would come in the way of our discussing these Bills. He has given a ruling that that rule is no bar and all these Bills are not Financial Bills, and nothing prevents us from considering them later on in the month of April.

Mr. SPEAKER.—I did not hear you please.

Sri J. MOHAMED IMAM.—I will repeat what happened yesterday. The Speaker has been pleased to allot only two days for the consideration of these Bills.—I brought to the notice of the Chair and also to the notice of the Leader of the House that in case we are not able to deal with all these Bills, then under rule 131 the Speaker has to apply guillotine and then all these Bills, whether we discuss a certain measure of taxation or not will come under guillotine and the members of this House will not have an opportunity to discuss the other Bills. For this the Deputy Speaker gave a considered ruling that if some Bills are left over, if we are not able to cover all the Bills to-day, then nothing prevents us from considering these Bills on a later date. We submitted that two days were very inadequate to discuss all the Bills. The Deputy Speaker gave the ruling that in this case the rule would not apply and there is no need to apply guillotine.

Mr. SPEAKER.—There are some Bills that are left over now. In course of the day we may see how far we will progress and we can take the rest of the Bills after 1st April.

1-30 P.M.

Sri K. HANUMANTHAIYA.—I agree to the suggestion of taking up later such of the Bills which come into force after the close of the session of the Assembly. But so far as those Bills which should be given effect to immediately are concerned, they have to be passed immediately, therefore they have to be taken up for consideration at once. We have got five Bills. One Bill has already been passed. Another Bill, which is a comprehensive Bill, which includes assessment on various types of lands and cess on irrigation water, may be taken up later. There is no objection to that. Regarding the rest of the Bills they have to be passed immediately. Immediately means, the Speaker may fix as per powers given to him under Rule 131 (2), a time limit for each Bill. There are three Bills now which have to be taken up. And if you fix a time limit for each of these Bills, it would be very convenient for the House not only to consider but also pass them in time. If these three Bills are delayed, Government lose revenue.

Mr. SPEAKER.—Which are those three Bills?

Sri K. HANUMANTHAIYA.—The Court Fees (Amendment) Bill, the Stamp (Amendment) Bill and the Sales-Tax (Amendment) Bill.

Mr. SPEAKER.—Irrigation (Amendment) Bill ?

Sri H. SIDDAVEERAPPA (Minister for Home and Industries).—It is a small measure referring to the application of the Act to Bellary.

Sri K. HANUMANTHAIYA.—There is no urgency for that Bill. It is the Money Bills relating to finance that have to be taken up at once. That Bill may also be taken up one of these days. Sales-tax Bill must be taken.....

Sri B. HUTCHE GOWDA (Turuvekere).—After all it is an amending Bill.

Sri T. MARIAPPA (Mysore City North).—In fact all these factors were considered yesterday. To be fair to the House, the question of the measure coming into force from 1st April 1954 was considered yesterday. Some members argued that having regard to the fact that the proceeds of the taxation Bills have not been taken into account in framing the Budget, it is not necessary that they should be passed before 1st April 1954 and therefore sufficient time must be allowed to them to discuss the Bills. The ruling of the Deputy Speaker was that the House may consider the Bills as and when they come, that if the Bills cannot be completed today, they may be taken up later. Therefore I would like to request you to consider the ruling of the Deputy Speaker, because what has transpired must be properly represented to the Speaker. I argued that under Rule 131 there is no restriction whatever; that rule applies only to Finance Bills which are intended to come into force from 1st April 1954 and where the proceeds of such measures are taken into account already in the Budget. But these Bills are not so. If these are passed.....

Mr. SPEAKER.—The Court Fees (Amendment) Bill ?

Sri T. MARIAPPA.—Even that.

Mr. SPEAKER.—The Stamp (Amendment) Bill ?

Sri T. MARIAPPA.—Even that. It may come into force from 1st April 1954 or it may come into force from 2nd April and so on; there is no compelling factor. The only point is, if the proceeds of taxation had been taken into account in the Budget and that had been indicated in the Statement of Objects and Reasons, then there could have been some justification for taking them up at once and passing them. It was only in that context interpretation of the rule came in and very many members took part in the discussion. Therefore, if you kindly see the ruling of the Deputy Speaker, you will find that there was no restriction in it. His ruling was that all the Bills can be taken up and discussed one by one.

Sri A. BHEEMAPPA NAIK (Molakalmuru).—The Deputy Speaker has stated that rule 131 does not apply to this case because, if the Bill relating to enhancement of land revenue and water rate, which has been introduced, could be postponed to some other day, it means that all other Bills also could be similarly postponed. No legislative measures should be hustled through. They must be debated on the merits of each. Let us give to the opposite side as much opportunity as possible to debate on each point of the Bills. Simply because it is stated in the Bill that it shall come into force on 1st April 1954, it does not mean that it should come into force from that day alone, and that if it does not come into force on that date it will lapse. It is a question of adjusting the date or bringing in an amendment to the effect that instead of from 1st April it may come into force from 10th April or some other date. And also, it is not an emergency Act expiring on a particular date, the result being that there will be no law on that date and there will be a gap or any such thing and therefore the Bill must be passed into law at once. Therefore, we should not hustle through. Sufficient time must be given. If within the time allotted we cannot finish it and if it is to be guillotined, it is under different provision of law. Therefore I submit that in case it is held, as was held by the Deputy Speaker yesterday, that rule 131 does not apply to these Bills, we can as well discuss them on merits even after 1st April 1954.

Sri K. HANUMANTHAIYA.—Is there going to be a debate on that point, Sir? I am afraid it is so.

Sri Mulka GOVINDA REDDY (Chitaldrug).—Yesterday the Deputy Speaker was good enough to give a ruling. He was pleased to state that rule 131 does not apply to these Bills. The Speaker may be pleased to remember that when members of the House wanted to take part and refer to points elaborately on the taxation measures, they were not allowed to do so. He was drawing their attentien to the fact that these taxation measures will come up before the House when they could express their views particularly about them. While that is the case, sufficient opportunity must be given to the members to discuss these Bills now. There is no meaning in hustling through such measures where so many people will be involved. If these taxation measures are passed in a hurry, in such haste, it will not be good to the country; nor we will be doing justice to the measures themselves nor to the constituencies from which we have been elected. Therefore these Bills may be taken up as and when they come up and those that remain over may be taken up in April. There is nothing preventing this House to amend such of the clauses where the dates are mentioned. There is nothing that compels us to take up these measures now alone.

Sri K. HANUMANTHAIYA.—Sir, except the Mysore Land Revenue and Water Rate (Increase of Levy) Bill, all the other Bills specifically mention the date from which they come into force, namely, 1st April 1954. These are taxation measures and they come under the definition of Finance Bills. My anxiety is that revenue should not be lost to the Government. Every day of postponement means so much of loss to the Government. I have made it clear in my Budget speech that these taxation measures have been taken into calculation in framing the Budget. Merely because I have shown a deficit, that does not mean that I have not taken into calculation all these factors in framing the Budget. Therefore, the contention that these measures have not been taken into consideration in framing the Budget, is not correct.

I certainly want that this House should apply its mind fully to these measures. Not that I want hustling them through, as some Hon'ble Members characterised it. The point is, what is the time required for the consideration of these Bills? Originally the Speaker was pleased to fix two days for these Bills, and now.....

Sri J. MOHAMED IMAM.—Because only two days were available.

Sri K. HANUMANTHAIYA.—Now one Bill, namely, the most controversial Bill, probably is the Mysore Land Revenue and Water Rate (Increase of Levy) Bill. I have agreed that that Bill may be taken up for consideration later. But the other Bills have to be passed as soon as possible not in the interest of Government alone for the time being; but it affects the revenues of the State and consequently the expenditure and we have to be very considerate in passing them so that we may derive the revenues as soon and as quickly as possible.

My request now is that a time limit may be fixed. Not that every bill must be passed in five minutes or ten minutes as the case may be. But in respect of these three Bills, namely, the Salex-tax (Amendment) Bill, the Court Fees (Amendment) Bill and the Stamp Fees (Amendment) Bill—of course the application of the Mysore Act relating to irrigation to Bellary is purely a formal matter which may not take up much time—these three Bills may be allotted a definite time limit so that the House may pass them within that time limit.

Sri J. MOHAMED IMAM.—I can never agree to the suggestion of the Hon'ble the Chief Minister.

Sri K. HANUMANTHAIYA.—Sir, objections are raised, then the Leader of the House gives the Government's reply and if there is going to be indefinite discussion on the matter, then may I plead helplessness?

Mr. SPEAKER.—The Speaker also must know fully what the Hon'ble Minister and the Hon'ble Members are saying. He must understand what these Hon'ble Members say.

(Sri J. Mohamed Imam rose.)

Sri K. HANUMANTHAIYA.—Some members speak twice on the same subject.

Sri M. V. RAMA RAO (Tumkur).—The Hon'ble the Chief Minister said just now that in regard to these three Bills, namely, the Stamp (Amendment) Bill, the Court Fees (Amendment) Bill and the Sales-tax (Amendment) Bill, they have to be passed by the Legislature at once as they have to come into force from 1st April 1954. I find that he has made a mistake in the reference to the Mysore Sales-Tax (Amendment) Bill. It is stated in clause (1), sub-clause (2), of that Bill that "this section shall come into force at once and the remaining sections shall come into force on such date as the State Government may, by notification in the *Mysore Gazette*, appoint." Therefore I think that his statement would have reference only to the other two Bi ls. And so far as the Mysore Sales-Tax (Amendment Bill is concerned, this urgency of the Act having to come into force from 1st April 1954 may not be applicable in the cosideration of that Bill. Therefore, if the House is agreeable to debate the other two Bills now, I think Hon'ble Members of the Opposition may not have any objection to accept the proposition and we can make some progress.

Mr. SPEAKER.—I think, so far as these three Bills are concerned, the first one, the Mysore Court Fees (Amendment) Bill, is proposed to come into force on 1st April 1954. Similarly, the Mysore Stamp (Amendment) Bill will also come into force on 1st April. These two ought to be disposed of today. I think there is not much controversy so far as these two bills are concerned. As regards the Sales-tax Bill, itis provided therein that it shall come into force at once.

Sri K. HANUMANTHAIYA.—That is one section, Sir.

Mr. SPEAKER.—The remaining sections shall come into force on such day as the State Government by notification in the official Gazette appoint. It will have to be kindly remembered that a Finance Bill generally requires speedy disposal and particularly when the Government will have to lose revenue in case of avoidable delay, that should be avoided. After all rule 131 (2) leaves discretion to the Speaker. There is not the word 'shall'; 'may' is the word used. Whatever that may be, these Bills we will have to take up now and I think till 4 P.M., if need be, we can go on with these two Bills —the Court Fees Bill and the Stamp Amendment Bill. After 4 P.M., the Sales-tax Bill will be taken up and if need be we will sit a little later and dispose it of. As regards other Bills, they will be taken up during the first week of April.

Sri J. MOHAMED IMAM.—May I submit, Sir, as suggested by you, we want more time for the consideration of the Sales-Tax Bill ?

Mr. SPEAKER.— We will watch the progress and decide.

Sri J. MOHAMED IMAM.—I humbly suggest that we may rise after the consideration of the Court Fees and Stamp Bills and the Sales-tax Bill may be taken into consideration later on.

Mr. SPEAKER.—We will watch the progress during the course of the day.

Sri J. MOHAMED IMAM.—The Chair has given a ruling that discussion will have to close at 4 P.M. and we will be bound by it. The time is very short, Sir. If necessary the Land Revenue Bill may be taken up in April. We all owe a duty to the people. We owe a heavy responsibility to the people whose representatives we are. The Chair must give us every help and uphold our rights. It is all the mistake of the Treasury Bench. If they wanted these changes, they could have come forward with these Bills earlier and given us time to consider these Bills.

Mr. SPEAKER.— Do not attack the Treasury Bench if you want to gain your point.

Sri J. MOHAMED IMAM.—The Speaker alone must guard our rights and see that adequate time is given to us. That Bill may be taken in April. So I appeal to you on behalf of the entire House. The entire House is solidly behind me in making this submission.

Mr. SPEAKER.—Supposing we sit for two and a half or three hours after Five ?

Sri J. MOHAMED IMAM.—Myself and Sri Bheemappa Naik have fixed up another engagement, Sir.

Mr. SPEAKER.—But this business is more important.

Sri J. MOHAMED IMAM.—We want at least two days to do full justice to the Bill, Sir.

Mr. SPEAKER.—Is the House prepared to sit on some Sunday ?

VOICES.—No, no.

Sri J. MOHAMED IMAM.—A delay of fifteen days does not deprive the State Government of a large revenue, Sir.

Mr. SPEAKER.—We will wait and see. We will now go on with the Mysore Court Fees (Amendment) Bill.

THE MYSORE COURT FEES (AMENDMENT) BILL, 1954.

Motion to consider.

Sri H. SIDDAVEERAPPA (Minister for Industries).—Sir, I beg to move:

"That the Mysore Court Fees (Amendment) Bill, 1954, be taken into consideration."

Sir, the object of this amending Bill is to enhance in respect of certain articles of Schedule 2, the fee to be levied, with a view to bring it into uniformity between the rates of court fee leviable in our State and those prevailing in Bellary District under the Madras Act. It is with a view to bring about this uniformity that this Bill is brought forward. Sir, it is a Bill wherein the idea is to enhance the fees leviable under the several articles mentioned therein. Generally it is well-known that the court fee in Mysore is very much lower than the court fee prevailing elsewhere in other neighbouring States. Even at the time and after the financial integration, it was envisaged that the rate of stamp duty may be enhanced rather progressively so that it may be brought into conformity with the neighbouring States. Therefore this amending Bill is brought up and I pray that this House may be pleased to accord its approval.

Mr. SPEAKER.—Motion moved:

"That the Mysore Court Fees (Amendment) Bill, 1954, be taken into consideration."

Sri J. MOHAMED IMAM (Jagalur).—Sir, I am opposing this taxation measure. Sir, this Bill is a typical example that there is no certainty about any measure. I think this is the third time that an attempt is made by the Government to enhance the court fees. In the year 1948 by an amendment of the Court Fee Act, an amendment was introduced and all the rates were revised in the Schedule. And again by a subsequent amendment, if I remember correctly, there was an amendment introduced and again the rates of fees were enhanced. And this is the third time that the Government want to enhance the rates. It is true that the enhancement provided may not be much. But what I want to say is this: that, as I pointed out yesterday, there is no certainty, there is no definiteness. The people of the State are vulnerable, at the mercy of the Government. The same thing is to be found in the Sales-Tax Bill or the Stamp Duty Bill as I shall have opportunity to point out later. So it seems to me, Sir, the Government's main concern or hobby is to find out ways and means of extra taxation; how to tax the people; where to tax and whom to tax. There is no finality. Every year brings in fresh taxation and enhancement of duty. The Government want to impart an electric shock every year. This is what I call 'pin-prick' taxation and 'pin-prick legislation'; and such a policy must be avoided.

Sir, the Hon'ble the Chief-Minister is not here. In the course of the Budget discussion, there was an appeal, I must say unanimous appeal to him to forbear from extra taxation at this juncture. Discussions went on for four days and I thought that the appeal of the Members would go home and make him relent from the position he had taken. But on the other hand, he is so adament and so particular and so